

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Apr 04, 2024**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

CHRISTOPHER SENN; JASON  
BEWLEY; JERED FULLEN;  
DISABILITY RIGHTS WASHINGTON;  
and JEWELS HELPING HANDS,

Plaintiffs,

v.

CITY OF SPOKANE, a municipal  
corporation; SPOKANE COUNTY, a  
municipal corporation; JOHN F.  
NOWELS, in his official capacity as  
Spokane County Sheriff; and CRAIG  
MEIDL, in his official capacity as  
Spokane Police Chief,

Defendants.

No. 2:22-CV-00254-SAB

**ORDER DISMISSING  
REMAINING CLAIMS AND  
RETAINING JURISDICTION  
ON THE ISSUE OF  
ATTORNEY'S FEES AND  
COSTS**

**ECF NO. 111**

Before the Court is the parties' Stipulated Dismissal pursuant to Rule 41(a)(1)(A)(ii). The parties have stipulated to the dismissal of the "action with prejudice on all remaining issues, subject to a petition for attorneys' fees and costs." ECF No. 111 at 2. If the dismissal is by stipulation under Rule 41(a)(1), the parties are free to negotiate the conditions on which they agree to stipulate.

Accordingly, pursuant to the stipulation of the parties, **IT IS HEREBY**

**ORDERED:**

**ORDER - 1**

1           1.     The parties Stipulation, **ECF No. 111**, filed as a stipulated motion is  
2 **GRANTED** in that the Court specifically incorporates the terms of the parties'  
3 agreement into this order of dismissal.

4           2.     Pursuant to the parties' Stipulation, ECF No. 111, this action and all  
5 remaining claims are **DISMISSED WITH PREJUDICE** under the condition that  
6 Plaintiff may petition this Court for attorneys' fees and costs.

7           3.     The Court retains jurisdiction to decide the question of whether the  
8 granting of Plaintiff's preliminary injunction merits an award of fees and costs.  
9 *See Smalbein v. City of Daytona Beach*, 353 F.3d 901, 905 (11th Cir. 2003).

10          4.     In order to secure the just, speedy, and inexpensive determination of  
11 this proceeding the Court strongly encourages the parties to stipulate on all or  
12 some of the issues regarding Plaintiff's entitlement to and the amount of  
13 reasonable attorney's fees and costs, and submit a proposed judgment. *See Fed. R.*  
14 *Civ. P. 1*. If a stipulation cannot be reached, the issue of attorney's fees and costs  
15 will be handled by regular motion practice.

16           **IT IS SO ORDERED.** The District Court Executive is hereby directed to  
17 file this Order and provide copies to counsel.

18           **DATED** this 4th day of April, 2024.

A handwritten signature in blue ink, reading "Stanley A. Bastian".

Stanley A. Bastian  
Chief United States District Judge